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## Executive Director's Message

# THE ORIGIN OF SMOG, THE NEED FOR AIR REGULATION LA'S ROLE IN AIR POLLUTION PREVENTION



*[This is the first installment of a three-part look at the social, economic and health aspects of air regulation in the Southland and its effect on our wastewater agencies ]*

Having worked for more than 15 years in the Riverside area, I was continually confounded as I looked out over the valley each day and saw this thick layer of off-white haze in the distance. Was it fog or was it smog? I never quite knew the answer to that question. I often wondered if it was smog, where was it coming from, Los Angeles, Orange County or San Bernardino? One thing was certain, you could see it, smell it and on the worst days, even taste it

Growing up in southern California I was introduced to smog back in the 1960's. I still remember as a kid waking up to clear blue skies during the summer, even when the Santa Ana winds weren't blowing. Slowly, almost imperceptibly, that changed over the years as the blue skies gave way to a sinister grey haze that those of us in San Diego naturally blamed on Los Angeles' traffic problems. Through the media we all learned it was called "smog" and was a form of air pollution. While it was somewhat new to us in southern California, people on the East Coast and in Europe had been dealing with it far longer. Interestingly enough, the term "smog" goes all of the way back to 1905 when it was first used to describe London's acrid air, that was a combination of fog and coal smoke [*Editor's Note: Is anyone old enough to remember the "Killer Fog of 1952" in London that killed thousands in a week's time?*]. According to the USEPA, complaints about air pollution from coal smoke date back to at least 1272, when King Edward I banned the burning of sea-coal. Not surprisingly, his edict was not popular and no one complied with his order.

For those of us in southern California that remember how bad the air quality was in the 1960s and 1970s, we need only look out the window to see how much better our air quality is today and for that we have the California Air Resources Board and the local air districts to thank. One local air district, the Southern California Air Quality Management District (AQMD), in particular has been responsible for regulating the air quality of the Southland since the inception of its predecessor, the Los Angeles County Air Pollution Control District (LACAPCD), on October 14, 1947. The idea of forming a series of statewide air districts with authority to monitor and regulate their region's air quality standards was the brainchild of the Los Angeles County Board of Supervisors. Their vision, borne from necessity, resulted in the California Legislature passing into law a measure on June 10, 1947 that activated the LACAPCD, as the first local air district of its kind in the nation. By the end of the year, all major industries in Los Angeles were required to have air pollution permits.



sulfur dioxide emissions from oil refineries.

According to the AQMD, Los Angeles suffered from smog as far back as 1903 due to industrial smoke and fumes. The problem became exasperated during World War II with the sudden increase in the area's industrialization and after several years of scientific research, it was determined that the culprit was [ozone](#). Naturally this finding was met with much opposition from the business community and oil companies, but undaunted, the LACAPCD continued its fight against the region's air pollution by regulating open burning in garbage dumps and backyard trash incinerators, reducing smoke from factories and limiting

In 1953 a significant breakthrough in the fight against air pollution was made when the LACAPCD enacted controls to reduce hydrocarbon emissions from industrial gasoline storage tanks. This effort alone eliminated over 460 tons per day of smog forming emissions. Subsequently in 1978, and what most of us remember and originally cursed at, the gasoline pump nozzles at filling stations were required to be outfitted with those clumsy sleeves intended to prevent hydrocarbon gases from escaping into the atmosphere. History now shows that this one controversial action may have been the single most cost-effective action ever initiated by a local air district and resulted in instilling the idea of "pollution prevention" to the general public.

By the 1970s air pollution originating from Los Angeles and Orange Counties, particularly from vehicle emissions, was affecting air quality in Riverside and San Bernardino Counties. After many unsuccessful efforts by civic groups the then Governor, Jerry Brown, signed into law AB 250 that created what we now know as the [South Coast AQMD](#) effective January 1, 1977. This newly created agency was immediately tasked with regulating the air quality in the four counties of Los Angeles, Orange County, Riverside and San Bernardino. The [SCAQMD](#) immediately began preparing a management strategy and timetable to attain clean air for the region that culminated in the agency's first Air Quality Management Plan, adopted in 1989. It is well known that the SCAQMD has fostered numerous first-of-its-kind programs and concepts that have either been implemented locally or adopted statewide such as, CARB's Low-Emission/Zero Emission mandate, a ride share program, the Regional Clean Air Incentives Market (RECLAIM) or have inspired industry-wide technological advances such as, fuel cells, electric vehicles, barbeque starters, zero-VOC paints, and alternate fuel vehicles. But it's really what SCAQMD has accomplished in recent years and what they hope to accomplish in the near future that will make the difference for the continued well-being of all who live and work in the Southland.

Without question, the SCAQMD is one of the more controversial agencies in the state, and while it is not without its detractors, the District has become known for its visionary yet sometimes heavy-handed approach to fighting the war on air pollution. In 1997 SCAQMD adopted its groundbreaking Environmental Justice Program that has since become

the model for other agencies across the state and nation. Subsequent enhancements to the Program, including its 2003 25-point strategy for reducing the cumulative impacts of air pollution in the region, have resulted in the reduction of pollution from business, industry and mobile sources. The following is an abbreviated listing of the more notable programs and regulations enacted by the SCAQMD over the last 10 years:

**2002** – Modernization of the emission reduction credit system (ERC); adoption of a stringent dust control plan for the Coachella Valley; adoption of 23 enhancements to its EJ Program; provided \$8 million in incentivized funding to reduce diesel emissions from the Los Angeles/Long Beach port terminals; Amended Rule 1113 requiring lower VOC emission limits for architectural coatings and Amended Rule XIII enabling the use of short-term emission credits for regional projects.

**2003** – adopted controls to reduce VOCs and ammonia from regional composting facilities; launched its lawn mower exchange program; adopted controls on hexavalent chromium emissions; adopted its 2003 AQMP with 26 regional air pollution control measures; adopted its 2003-04 EJ Program.

**2004** – adopted Rule 1148.1 reducing ozone formation due to venting of natural gas from 3,500 oil wells; awarded \$2 million towards a demonstration fleet of hydrogen fueled vehicles; adopted Rule 1470 reducing air toxic emissions from stationary diesel-fueled internal combustion engines; amended Rule 403 for reduction of PM 10 emissions from paved and unpaved roads; adopted Rule 1127 as the nation's first required reduction in ammonia from dairy-cow manure.

**2005** – adopted phased-in changes to the RECLAIM culminating in a 20% reduction in NOx emissions from permitted facilities; approved a Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning; amended Rule 1118 to reduce sulfur emissions from vent-gas flaring.

**2006** – adopted Rule 1156 to reduce PM10 from cement manufacturing facilities; awarded funding to install and demonstrate sophisticated air filters in classrooms at 3 elementary schools.

**2007** – adopted 2007 Air Quality Management Plan; put into effect its online refinery fuel notification process.

**2008** – adopted a work plan to develop and implement a new climate credit exchange program called the SoCal Climate Solutions Exchange that allows the business community to invest in high-quality carbon reductions; adopted Rule 1146 and Amended Rule 1146.1 to reduce NOx emissions from industrial, institutional and commercial boilers, steam generators and process heaters.

**2009** – approved a Tree Planting Partnership Program; awarded \$43 million towards purchases of compressed natural gas and propane school buses; formed a new Environmental Justice Advisory Group (EJAG);

**2010** – approved allocation of \$34 million in state and federal funds to replace 600 dirty diesel trucks with new, lower emission models; approves allocation of \$24.5 million to replace and clean up diesel school buses.

*To be continued....*

*[Next month's edition will feature the potential effects of air pollution to the health of those that live and work in the Southland.]*

Breathlessly yours,  
John Pastore, Executive Director

## [Comments?](#)

If you would like to leave a comment about content or layout of this newsletter, please contact us at [SCAP](#).

Clean Water Summit Partners Update by John Pastore, SCAP

Renewable Energy Policy – CWCCG Manager, Jackie Kepke, is preparing a preliminary outline for preparation of an Energy White Paper to be developed along with a survey of renewable energy projects from throughout the state. The White Paper would be used to assist with promoting regulatory and legislative relief for renewable energy projects associated with wastewater facilities.

Pesticide and Consumer Product Regulatory Improvement to Protect POTWs

POTWs need timely information about, and assistance to, state and federal pesticide and consumer product regulatory actions with the potential to impact POTW effluent quality, treatment operations or biosolids quality. Pesticides, particularly pyrethroids, pose an immediate threat to many POTWs by causing restrictions on biosolids management and recycled water usage options and could also lead to pesticide TMDLs that may establish toxicity or pesticide numeric effluent limits. The California Storm Water Quality Association (CASQA) has indicated it needs \$150,000 to fund additional work by Kelly Moran of TDC Environmental, LLC and is seeking a contribution of approximately \$65,000 from the POTW community towards this goal. BACWA is working with the Summit Partners to explore methods of obtaining the necessary funding.

CalRecycle Policy re: Need for Transfer Station Process Facility Permits for POTWs Accepting FOG or Food Waste –

CASA Biosolids Manager, Greg Kester, has been actively responding to CalRecycle’s determination that POTWs accepting FOG, food waste, septage or hauled in waste for anaerobic digestion may now need to obtain a transfer station/process facility permit from the Department of Resources Recycling and Recovery. A small workgroup was recently formed to assist Greg in dealing with this issue. The workgroup conferenced on March 17<sup>th</sup> and agreed that instead of sending our position letter at this time, it would be better to set up a meeting with Mark De Bie and try and reach agreement on the three action points determined by the workgroup. Greg can be contacted at [gkester@casaweb.org](mailto:gkester@casaweb.org) for further information on the talking points.

SWRCB’s Whole Effluent Toxicity Policy –

CASA’s Director of Legal & Regulatory Affairs, Roberta Larson, reports that the SWRCB staff is still evaluating submitted POTW toxicity testing data for comparison under the new draft Whole Effluent Toxicity Policy. Once the results of staff’s findings are made public and a recommendation action made, it is assumed that the Tri-TAC led effort to review and comment on the draft policy will resume.

SWRCB WDR-SSO Revised Order –

The revised WDR has now been released for public review and the Summit Partners are currently working on a common comment letter in response to the many concerns brought about by the new version.

AIR QUALITY COMMITTEE REPORT

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LOCAL AIR DISTRICT NEWS AT A GLANCE

Posted meeting dates and proposed new rule development for the following air districts can be found at these sites:

Imperial County APCD
Santa Barbara APCD

Mojave Desert AQMD
Ventura County APCD

San Diego APCD
South Coast AQMD

**[Deferral for CO2 Emissions from Bioenergy and Other Biogenic Sources Under the Prevention of Significant Deterioration \(PSD\) and Title V Programs](#)** by Greg Adams, LACSD

On March 21, 2011, EPA published in the [Federal Register](#) their proposed rule to defer, for a period of three years, permitting requirements for biogenic carbon dioxide (only) emissions from bioenergy and other biogenic stationary sources (such as landfills and wastewater treatment plants). The proposed rule is consistent with earlier releases by EPA on the same subject. The principal driver behind the deferral are the complex technical issues involved with the level of sequestration that actually occurs in reservoirs of fossil based fuels versus biogenic (biomass) fuels. Among other actions EPA promises to take on the topic over the next three years, they will convene a scientific review panel to assess the technical biogenic issues. Comments on the proposed rule are due May 5, 2011.

The EPA also issued interim guidance to help permitting authorities determine best available control technology (BACT) for reducing carbon dioxide emissions from bioenergy production, to fill the gap between now and approximately July 2011 when the deferral will take effect legally. Fundamentally, the guidance maps the traditional five-step PSD BACT path and leads one to the conclusion that combustion of the biomass fuel itself is BACT.

**[NACWA Issues Letter to EPA Requesting Withdrawal of RTI Report Dealing with Biogenic Emission Sources](#)** by Greg Adams, LACSD

On March 10, 2011, NACWA sent an unsolicited letter to EPA requesting that the subject RTI report be withdrawn until it could be peer reviewed. The report addressed wastewater treatment plants, landfills and ethanol fermentation processes. As a tool to be used by permitting authorities, the chapter on wastewater painted a very unfavorable picture of GHG emissions. The uncompleted WERF study on N2O emissions was particularly misrepresented. [See attachment]

**[NACWA Comments on USEPA GHG Inventory for the Wastewater Sector](#)** by Greg Adams, LACSD

On March 25, 2011, NACWA issued its traditional comment letter to EPA regarding the United States' greenhouse gas sources and sinks inventory update for the 1990-2009 period. The inventory is a requirement of the United Nations Framework Convention on Climate Change, signed and ratified by the United States in 1992. Among other things, the treaty obligates the United States to periodically update its inventory. The NACWA letter continues to raise concerns about the calculation of nitrous oxide emissions (use of the per capita protein consumption approach) which places wastewater treatment in the top 10 emitters (of nitrous oxide and methane) in the country. The inventory document acknowledges a study completed by WERF on septic tank systems which would lower methane emissions by almost half and add a little N2O; this study is still under review by EPA. The inventory document also acknowledges work underway by WERF on N2O emissions from POTWs that may lead to a "country-specific" N2O emission factor.

**[South Coast Ozone SIP Litigation Decision](#)** by David Rothbart, LACSD

On February 2, 2011, the Ninth Circuit Court of Appeals ruled that the EPA improperly approved California's 1-hour ozone SIP for the South Coast Air Basin. The decision could potentially require transportation control measures (TCMs) to be implemented to offset emissions associated with increased vehicle miles traveled within the air basin. Although it seems implausible, SCAQMD's input was never sought regarding the case. SCAQMD believes that several issues were not raised during the case and so they filed a petition for rehearing on March 6, 2011. In the event

SCAQMD is unable to reverse this decision, it is possible that TCMs would be required to obtain a further reduction of 70 tons of NOx per day, which could necessitate draconian measures such as no-drive days.

[Judge Finalizes Decision Suspending AB32 Scoping Plan](#) by Frank Caponi, LACSD

On March 18, a California judge finalized a preliminary decision made in January that suspends the Scoping Plan developed under the AB32 climate program. The Judge's order essentially rejects requests made by state attorneys to allow the GHG rules to continue while the state redoes an environmental impact review found to be deficient by the court. It is expected that this review could take several months to complete, which brings into question what portions of the Scoping Plan would be delayed. It has been reported that the Plaintiffs are mainly targeting the cap and trade program, but the state's low carbon fuel standard could also be suspended because it may result in more pollution from biomass-to-fuel facilities.

Plaintiffs must file a Writ with the court that could possibly narrow the scope of the decision. In addition, the state may appeal the decision once it takes effect. Until these events play out, the fate of major portions of the Scoping Plan will remain in question.

[EPA Delays Deadline For Filing the Greenhouse Gas Inventories](#) by Frank Caponi, LACSD

On Tuesday, March 1, 2011, the Environmental Protection Agency announced that they would be delaying reporting under the Greenhouse Gas Reporting Rule until September 30. Originally reports were supposed to be due March 31, 2011. This delay is intended to help EPA seek additional industry input to make the online reporting system as user friendly as possible. EPA will spend the next few months allowing users to input data into the site and provide EPA with feedback on the process. Additionally EPA would like industry to be as familiar with the tool as possible before actual reporting begins.

Emissions reporting will be done through an online system called the Electronic Greenhouse Gas Reporting Tool (e-GGRT). Sources will have until August 1 to register with e-GGRT, 60 days before the Sept. 30 deadline. The deadline extension does not change requirements for reporting data. In future years, the reporting deadline will be March 31.

## BIOSOLIDS COMMITTEE REPORT

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[EPA Proposed Standards for Sewage Sludge Incinerators Update](#) by Matt Bao, LACSD

On March 21<sup>st</sup>, the EPA issued the final rulemaking for new stationary sources and emission guidelines for existing sewage sludge incineration units. EPA determined that biosolids were considered a solid waste, setting limits for nine pollutants under Section 129 of the Clean Air Act: cadmium, carbon monoxide, hydrogen chloride, lead, mercury, nitrogen oxides, particulate matter, polychlorinated dibenzo-p-dioxins and polychlorinated dibenzofurans, and sulfur dioxide. The final rule is effective on May 20, 2011.

The National Biosolids Partnership (NBP) will be offering a free webcast on this issue, titled “Implementing the New Sewage Sludge Incineration MACT Standard – Issues and Challenges Ahead”. The webcast is scheduled for Thursday, April 21<sup>st</sup> from 11:00 AM to 1:00 PM. The webcast will feature a background to the regulations, comparison of the proposed and final rulemaking, technology impacts, and next steps. Additional information, including online registration, can be found [here](#).

### [SJVAPCD Organic Waste Composting Regulation \(Rule 4566\)](#) by Tom Meregillano, OCSD

In September 2010, the San Joaquin Valley Unified Air Pollution Control District (SJVAPCD) released draft rule 4566. The SJVAPCD’s goal in draft rule 4566 is to reduce VOC emissions through requirements that can be feasibly implemented without resulting in operational expenses or finished product costs that would render green waste composting operations economically inoperable. On March 14, 2011, the SJVAPCD met with a technical workgroup comprised of stakeholders to discuss preliminary concepts on draft Rule 4566, focusing discussions in the following areas: Exempt facilities and operations, stockpile requirements, watering system requirements, finished compost cover requirements, and milestones. A tentative workshop and staff report will be scheduled in April 2011. SCAP will continue to monitor this developing rule and provide its members with updates as information becomes available.

### [Synagro CEO Featured on CBS’s “Undercover Boss” Television Program](#) by Tom Meregillano, OCSD

Bill Massa, chief executive officer for Synagro, appeared on CBS’s “Undercover Boss” which aired on Sunday, March 27, at 9:00 PM (PST). For his “Undercover Boss” appearance, Mr. Massa rolled up his sleeves to covertly experience Synagro’s various sludge treatment processes and see first-hand how the company designs and executes its integrated waste capture and conversion solutions. Throughout the show’s filming, Massa stepped into a variety of front-line roles. He went into a 2.2 million gallon tank of sludge for cleaning, worked alongside a centrifuge operator to separate water from solids, and helped dredge and clean a lagoon. He is pleased to have gained an even greater appreciation for the strict environmental and safety regulations his team members successfully navigate each day, and is inspired by the dedication and passion that Synagro brings to the community and the many other civic and commercial organizations they serve.

### [AB 856 – Compost Labeling](#) by Derrick Lee, City of LA

In 2009, AB 856 was passed to address the California Department of Food & Agriculture’s (CDFA) investigation of an organic fertilizer manufacturer misrepresenting liquid fertilizer with an unapproved ingredient. The CDFA, in consultation with the Fertilizer Inspection Advisory Board (FIAB), reviewed the incident and identified gaps in CDFA’s authority to regulate fertilizing materials used for organic crop and food production. The main goal of AB 856 is to ensure integrity and composition of organic fertilizing materials. The regulation fills gaps in CDFA’s authority to regulate these materials and provides CDFA enhanced enforcement authority to achieve compliance. A significant provision of AB 856 is that composters must create labels for any product for which a nutrient claim is made. It should be noted that CDFA considers the use of a laboratory analysis as a sales tool to be a nutrient claim. A workshop on AB 856 will be held at the Biocycle 2011 Global Conference in San Diego. The workshop is scheduled for Thursday, April 14<sup>th</sup>, from 8:30 AM – 12:00 PM. Additional information on the workshop can be found [here](#).

### [Upcoming Conferences](#) by Derrick Lee

The following conferences, which feature biosolids workshops, sessions and presentations, are scheduled:

**Biocycle Global 2011 Conference** - April 11-14, 2011 at the Town and Country Resort  
San Diego, CA ([Conference and registration info](#))

**CWEA 2011 Annual Conference** - April 12-15, 2011 at the Ontario Convention Center  
Ontario, CA ([Conference and registration info](#))

**Spring CASA Conference** - April 27-29, 2011 at the Hyatt Regency  
Sacramento, CA ([Conference and registration info](#))

**WEF Residuals and Biosolids Conference** - May 22-25, 2011 at the Sacramento Convention Center  
Sacramento, CA ([Conference and registration info](#))

## COLLECTIONS COMMITTEE REPORT

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### [Committee Update](#) by Sam Espinoza, LACSD

Now that the proposed changes to the SSO -Waste Discharge Requirements (WDR) have been made public, I expect we will all be very anxious to see how these changes could potentially impact each of our operations. Without going into the details of the proposed changes, the State Water Resources Control Board (SWRCB) plans to expand coverage of the WDR to include private collection systems as well as gather more specific information as it pertains to sewer maintenance, funding and overflow response practices. Noticeable in the changes to the Monitoring and Reporting Program of the WDR is the increase in the amount of information that needs to be reported into CIWQS and in the amount of record keeping required. If you haven't done so already, I encourage you to download and read the draft Sanitary Sewer Systems WDR at [http://www.waterboards.ca.gov/water\\_issues/programs/sso/review\\_update.shtml](http://www.waterboards.ca.gov/water_issues/programs/sso/review_update.shtml) to see how these changes will impact your operation. Comments to the SWRCB regarding the WDR are due by noon on Friday, April 29, 2011.

On March 30, 2011, CWEA hosted a webinar entitled "Collection Systems Inspection: Insights & Lessons Learned". Due to the popularity of this particular topic among collection system operators in the State, the webinar "sold out" in just a few days. With the uncertainty of which agencies will be audited for compliance with the SSO WDR, there was tremendous value in previewing what SWRQB and EPA staff looks for when they inspect an agency's sewer maintenance program. Jim Fischer provided an overview of inspections and enforcement conducted by the SWRCB, including pointers on how to prepare for an inspection. Michelle Moustakas provided a similar discussion from the EPA's perspective. Christopher Dobson from the Sacramento Area Sewer District and David Tucker from the City of San Jose each gave their account of the inspection process and the impacts it had on their respective agencies. Because so many agencies were unable to participate in this particular webinar, CWEA recorded it and will make it available at a later date for others to listen.

### [Data Review Committee](#) by Bob Kreg, SCAP

The Data Review Committee continues to meet on a bi-monthly basis and is currently finalizing the updated spill report and annual questionnaire forms. Spill reporting has been changed to an event based structure as opposed to the current appearance point structure. Under the new reporting only one spill report needs to be generated even though the spill might have multiple appearance points. Currently, a new spill report is to be generated for each appearance point and tied together in the comment section of the report to the single event. Because the new reporting structure is event based, physical addresses are no longer used. The spill location is defined by latitude and longitude GPS location. Non-essential or repetitive questions have been removed from the reporting structure. The

size of the Category II spill report has been reduced in size by approximately 30%. This was done to offset the additional time needed for the new PLSD reporting. The revised reporting and questionnaire forms should be completed to coincide with the adoption of the new proposed WDR.

### [Facility Performance Report](#) by Bob Kreg, SCAP

During the latter part of March the SWRCB released, for agency review, the Facility Performance Report. The Facility Performance report compares each agency's spill frequency and spill volume to similar agencies in their Region and the state. Spills per 100 miles of pipe and volume of spills per 100 miles of pipe are the indices used for the comparison. Spills are also broken down by category I and II and private spills. On separate charts the spill cause is compared between agencies within the Region and the state. Static information is also displayed as is data on the agency's compliance with the development and implementation of their SSMP. All the data is obtained from the questionnaire which is updated annually and the Category I and II spill reports. Agencies are not asked for additional data. Sometime in May 2011, the Facility Performance report will be offered to the general public for viewing.

### [WDR Deadlines](#) by Bob Kreg, SCAP

Agencies who serve a population greater than 100,000 need to have their internal 2 year SSMP audits completed and certified to CIWQS by May 2, 2011. Likewise those agencies serving populations of 10,000 to 100,000 must have their internal 2 year SSMP audits completed and certified to the CIWQS online database by August 2, 2011.

### [Patrick McNelly Retirement](#) by SCAP Staff

March was the month for the retirement of Patrick McNelly from the Orange County Sanitation District. Pat was instrumental bringing OCSD's member agencies together forming a cohesive group of stakeholders for the development and implementation of the Region 8 WDR back in 2002. Pat has also given loyal support to the SCAP Collection Systems Committee since its inception. Here is to you Pat, we wish you the very best in your retirement and will miss your considerable contributions.

### [Call for Speaker Presentations—Joint SCAP/SARBS Collections Committee Meeting](#) by John Pastore, SCAP

SCAP is teaming up with the local Santa Ana River Basin Section (SARBS) of CWEA to host a one-day collection systems workshop in beautiful Huntington Beach on July 21st focusing on sewer collection related topics, such as new equipment, products, inspection, maintenance, repair, new rules & regulations, etc.

SCAP is looking for 2 or 3 presenters on these subjects and would like to ask if any of you or our Associate members would be interested in volunteering to make a presentation on behalf of SCAP. If interested, please contact me directly at (760) 479-4121, or [jpastore@scap1.org](mailto:jpastore@scap1.org) or Ralph Palomares at [RPalomares@etwd.com](mailto:RPalomares@etwd.com).



***A rarity! Huntington Beach devoid of sunbathers on a sunny Southern California day, during a Tsunami watch, as seen through the camera lens of our resident photographer Ralph Palomares.***

## ENERGY MANAGEMENT COMMITTEE REPORT

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### [Legislature Passes Bill to Increase California RPS to 33%, In-State Distributed Generation Believed to Get Favored Treatment](#) by Andre Schmidt, LACSD

On March 29, 2011, the California Legislature passed Senate Bill (“SB”) X1-2, which requires California’s electric utilities to increase their renewable generation to 33 percent by 2020. Passage of the legislation is the culmination of years of effort to increase California’s Renewable Portfolio Standard (RPS) from its current 20%, including failed bills in each of the last two legislative sessions. The current bill was introduced in February in an extraordinary session of the Legislature (hence the name “X1”) in hopes it would be heard and passed more quickly. Special session bills take effect 91 days after passage. SBX1-2 now goes to Governor Brown for signature, and he is expected to sign the legislation into law.

The RPS bill requires investor-owned utilities, municipal utilities and energy service providers to have 33 percent of retail electricity sales from renewables by 2020. Interim compliance periods of 20 percent between 2011 and 2013 and 25 percent between 2013 and 2015 apply. The bill would impose a renewables procurement “loading order” that mandates the amounts of energy or electricity products to be obtained in each compliance period according to three categories, or “buckets”. The first category is essentially for in-state resources, and is subject to minimum requirements that increase with time, culminating in a requirement that at least 75 percent of renewables be from this favored category. The other two categories are for unbundled (or “tradable”) renewable energy credits (TRECs) and out-of-state power. These categories face declining maximum percent allowances. More details can be found at <http://www.stoel.com/showalert.aspx?show=7805>

Implementation of the legislation will override the TREC decision passed by the California Public Utilities Commission in January that limited utility’s TREC usage to 25 percent of the RPS requirements. In this decision, renewable distributed generation produced at wastewater treatment plants (power used “behind the meter”), would qualify for TRECs, but would be limited to the 25 percent usage cap. Indications were that the market value of these TRECs would be severely limited based on estimates that the utilities had already contracted for power that surpassed or nearly surpassed the limits.

The current legislation includes language that is believed will allow in-state renewable distributed generation to be included in the first category. Inclusion in the first category would enhance and secure the value of TRECs produced by renewable generation facilities at wastewater treatment plants. This represents an additional revenue stream for existing renewable facilities, and a significant boost to the economic analysis for proposed facilities.

In order to qualify renewable generation for the TREC market, the facility must be certified as renewable by the CEC and be registered with the Western Renewable Energy Generation Information System (WREGIS). See [www.wregis.org](http://www.wregis.org) for more information.

**Energy Commission Awards Nearly \$1 Million for Research Project** taken from [Sustainable City Network](#) - Posted March 23, 2011 by the California Energy Commission

SACRAMENTO, Calif. -- The California Energy Commission awarded \$999,924 for a research project that will look at converting biosolids to energy. Funding comes from the Commission's Public Interest Energy Research program. "California continues to make significant strides in bioenergy research. By studying how to use biosolids more effectively, California will generate energy from previously untapped waste streams and reduce the volume going into our state's growing landfills," said Energy Commission Vice Chair James Boyd.

The Commission approved \$999,924 to the Antioch-based Delta Diablo Sanitation District to develop, demonstrate, and implement a system to turn biosolids into energy. The total cost of the project is \$4,738,924, with the remainder of costs coming from Intellergy Corporation of Richmond.

Biosolids are the treated byproduct produced by wastewater treatment facilities when organics are removed from municipal sewage. Biosolids contain latent energy that can be harnessed in several ways; one conversion method involves heating the material to break down the solids and create gases that are converted to energy.

Wastewater treatment facilities in California must address how to manage biosolids. Existing options for using biosolids are limited to mainly land application and alternative daily cover in landfills, and face increasing environmental challenges that could eliminate those options. Current disposal practices often involves hauling biosolids long distances, which consumes transportation fuels, increases greenhouse gas emissions, and increases ratepayers' costs for wastewater treatment.

The Delta Diablo Sanitation District will lead the implementation of a regional biosolids to energy facility under the project that the Energy Commission is funding. The project will demonstrate the steam/carbon dioxide reforming technology of Intellergy which has yet to be commercially demonstrated with biosolids. The biosolids will be heated at a high temperature in an airlock vessel, vaporizing the liquids and gasifying the organic solids. Steam and carbon dioxide will then be added, producing a hydrogen-rich gaseous fuel known as syngas. The hydrogen gas produced will be used to run a fuel cell to generate electricity.

The district is leading the Bay Area Biosolids to Energy Coalition, a collective of 16 San Francisco Bay Area public agencies working on local, sustainable solutions to biosolids management. In 2009, 661,000 dry metric tons of biosolids were generated in California. More than 158,000 dry metric tons of biosolids are produced in the Bay Area annually.

## WATER ISSUES COMMITTEE REPORT

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Valerie Housel, Chair                      Al Javier, Vice Chair  
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**SWRCB to Consider Adoption of Proposed amendments to the Water Quality Control Plan for Enclosed Bays and Estuaries** by John Pastore, SCAP

In an effort to protect the fish and wildlife living within the state's bays and estuaries from the effects of the buildup of toxics in the underlying sediments, the SWRCB began to develop sediment quality objectives (SQOs) for toxic

pollutants in bays and estuaries as far back as 2003. After much study and public input, a Plan was formulated and adopted in 2008, which ultimately went into effect on August 25, 2009. To assess the sediment quality necessary to protect the resident aquatic life, the SQOs developed, take into consideration chemistry, toxicity and the condition of the benthic community utilizing multiple lines of evidence.

Based on public input obtained from a May 19, 2010 CEQA scoping meeting to discuss draft amendments to the Plan, the SWRCB staff has prepared its latest proposed amendments. These amendments consist of a narrative sediment quality objective to Section IV of Part 1, a framework for implementation of the narrative objectives, the addition of new definitions in the glossary in support of proposed narrative objectives and corrections to omissions and previous typographic errors.

A public hearing to seek comments on the proposed amendments will be conducted on Monday, April 4, 2011 in Sacramento, with subsequent adoption of the amendments scheduled for April 6, 2011. A copy of the proposed amendments and the accompanying draft staff report can be found [here](#).

[Storm Water Management in California](#) by John Pastore, SCAP

As most know, the SWRCB regulates the flow and discharge of storm water throughout the State. There are three main regulatory programs overseen by the SWRCB: **Construction**; **Industrial**; and **Municipal**. Each of these categories is regulated by a specific SWRCB order under authority from the federal Clean Water Act. Until recently, the General Permit for Discharges of Storm Water Associated with Construction Activities (Construction General Permit) was the most visible of the three as it affects all projects that disturb one or more acres of soil. The Construction General Permit was adopted in 2009 and became effective July 1, 2010.

The SWRCB first adopted the General Permit for Discharges of Storm Water Associated with Industrial Activities (Industrial General Permit) in April 1997 and although the Order has expired, it remains in effect until a new General Permit is adopted. POTWS with flows above 1mgd or that have pre-treatment programs are included under this Industrial General Permit.

From 2003 to 2005 SWRCB staff attempted to reissue the General Permit but were unsuccessful due to concerns raised at the time over the proposal of establishing numeric effluent limits. Never one to give up, the SWRCB staff prepared a new draft Industrial General Report that, while not in final form, was the subject of a public hearing conducted on March 29<sup>th</sup>. The new permit incorporates recommendations and conclusions from a report previously prepared by a panel of storm water experts, entitled "The Feasibility of Numeric effluent Limits Applicable to discharges of Storm water Associated with Municipal, Industrial and Construction Activities".

The draft permit includes the following new requirements, many of which will directly affect POTW operations, fleet operations and agencies with storage yards and buildings:

**Numeric Action Limits (NALs) and Numeric Effluent Limits (NELs)** – incorporates USEPA benchmark values for NALs.

**Compliance Storm Event** – establishes 10, year, 24 hour compliance storm event for TSS discharges.

**Daily Average** – 2 of 3 corrective actions triggers based on daily average of samples taken.

**Electronic Filing Requirements** – requires all dischargers to electronically file Permit Registration Documents.

**QSD/QSP** – requires dischargers to meet minimum training qualifications and certification.

**SWPPP Checklist** – requires preparation of a Storm Water Pollution Prevention Plan Checklist.

**Minimum BMPs** – requires implementation of specific minimum Best Management Practices.

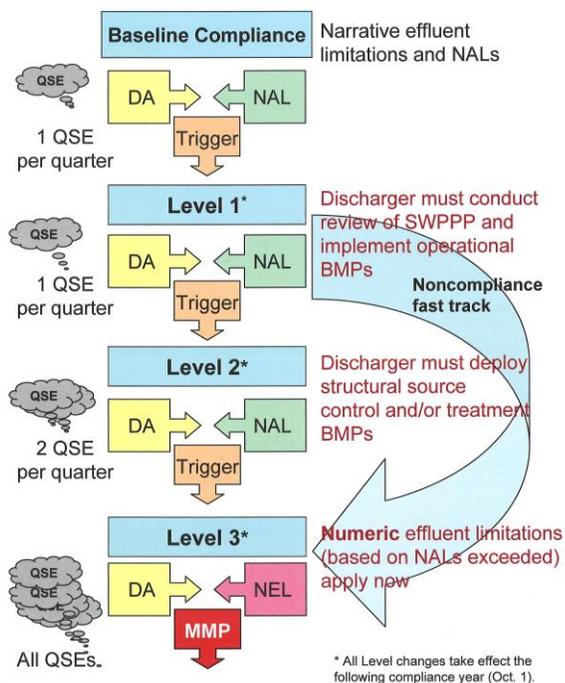
**Pollutant Source Inspections** – requires minimum of 4 quarterly inspections of industrial activities.

**BMP Descriptions** – requires SWPPP to include narrative descriptions of each BMP implemented.

**Containment Inspections** – requires monthly visual inspections of water storage and containment areas.

- Ineligible Storm Events** – requires documenting certain rain events occurring during operating hours.
- Pre-storm Inspections** – requires visual observation of drainage areas prior to anticipated storms.
- Sample Frequency Requirements** – sampling frequency increased to first eligible storm event per quarter.
- Qualified Storm Event** – defines what constitutes a “qualified storm” and what constitutes “dry weather”.
- Sampling Parameter Selection** – requires samples to be analyzed for parameters indicating the presence of certain pollutants.
- Field Measurements** – field measurements for pH and EC must be made using a calibrated metering device.
- Sample Reporting** – requires submission of analytical results into SMARTS within 30 days of sampling.
- Corrective Actions** – requires corrective action depending on amount of times NALs are triggered.
- Facilities with Significant Land Disturbances** – applies to landfills, mining, quarries, etc.
- Qualified Combined Samples** – requires collection of samples from all drainage areas.
- Storm Water Sample Collection and Handling Instructions** – described in Attachment E
- Annual Reporting Requirements** – requires electronic submission of reports using SMARTS.
- Table 4- Parameter Benchmark Values, Test Methods, Detection Limits, and Reporting Units** – see Table 4
- Group Monitoring Removed** – requires all dischargers to have a Qualified SWPPP Practitioner (QSP) and a Qualified SWPPP Developer (QSD).
- Conditional Exclusion Requirements-No Exposure Certification** – requires dischargers to either file an NOI for coverage under the General Permit or a No Exposure Certification (NEC) if there are no industrial activities exposed during a storm event.
- Conditional Exclusion-No Discharge Certification** – requires filing of a No Discharge Conditional Exclusion Certification for dischargers with facilities meeting containment of storm water for 100 year, 24 hour storm event.
- Conditional Exclusion for Dischargers that Implement Green Storm Water Impact Reduction Technology (G-SIRT)** – allows for application of a conditional exclusion for dischargers that design and implement future State Board approved G-SIRT standards.

LEVELS OF CORRECTIVE ACTION SCHEMATIC



There are three types of triggers:

1. A DA exceeds 2.5 the NAL
2. A DA exceeds any two NALs in one qualifying storms
3. A DA exceeds the same NAL in any two, qualifying storms per reporting year

Acronyms:

- QSE – qualifying storm event
- DA – daily average
- NAL – numeric action level
- SWPPP – storm water pollution prevention plan
- BMP – best management practice
- NEL – numeric effluent limitation
- TBEL – technology-based effluent limitation

Lastly, there is the General Permit for the Discharges of Storm Water Associated with Municipal Activities (Municipal General Permit). Like the Industrial General Permit, this order has expired but remains in effect until renewed and is scheduled to undergo public review in the second half of 2011. Large and small sewer collection system operators, water pump stations and sewer lift stations will fall under this order. It is very likely that the Industrial General Permit will be precursor to what can be expected when the Municipal General Permit renews.

### [Earth Day 2011 Activities](#)

With Earth Day coming up this month, many of our agencies are planning special events or celebrations. Here is information on a few of our member's events:

The City of San Diego will be participating in [EarthFair 2011](#).

The Sanitation Districts of Los Angeles County will conduct their own [Earth Day 2011](#) event.

The Inland Empire Utilities Agency is hosting an [Annual Earth Day Celebration](#).

The Eastern Municipal Water District is sponsoring the [9<sup>th</sup> Annual Water Conservation Festival](#).

The Western Municipal Water District is hosting its annual "[Earth Night in the Garden](#)".

### [SWRCB Accomplishments for 2010](#) by John Pastore, SCAP

The State Waterboard has published its Annual [Accomplishment Report](#) for 2010. The report is divided into sections representing the accomplishments achieved by the state agency as well as each local region. Here is a brief summary of the more significant achievements in our local regions.

#### **Los Angeles RWQCB**

Issuance of Ventura County Municipal Separate Storm Sewer Systems (MS4) Permit.

Adoption of a TMDL for indicator bacteria for the Los Angeles River watershed.

#### **Lahontan RWQCB**

Adoption of a TMDL for water clarity in Lake Tahoe.

Adopted water quality permits for two alternative energy projects.

Implemented a Dairy Strategy to clean up existing water quality problems.

#### **Santa Ana RWQCB**

Assisted with USEPA on release of a proposed Rialto-Colton groundwater cleanup plan for perchlorate and trichloroethylene contamination.

Completed renewal of 3 Municipal Separate Storm Sewer System (MS4) Permits.

Amended its Water Quality Control Plan (Basin Plan) for new nitrogen and TDS objectives.

#### **San Diego RWQCB**

Closed a high percentage of pending leaking underground storage tank cases.

Adopted the fourth generation Riverside County Municipal Separate Storm Sewer System (MS4) Permit.

#### **State Water Resources Control Board**

Adopted a Policy on the Use of Coastal and Estuarine Waters for Power Plant Cooling

Adopted a Policy to Protect Fisheries in Northern California

Approved Impaired Waters List and made Report of Water Quality Assessment Accessible via Online Tool

Developed Flow Criteria for the Sacramento-San Joaquin Delta Ecosystem

Conducted a Comprehensive Assessment of Toxicity Data

## ANNOUNCEMENTS

### [New Members](#)

SCAP wishes to welcome the [City of Vista](#) and [Black and Veatch](#) who joined our Alliance this past month.

### [OCSD Wins Plant of the Year Award](#)

Congratulations to the Orange County Sanitation District for receiving the Santa Ana River Basin Section (SARBS) of the California Water Environment Association (CWEA) 2011 Plant of the Year Award for its Fountain Valley Wastewater Facility. The OCSD plant was one of more than a dozen wastewater facilities considered for the award. OCSD 's Plant 1 had previously received SARBS top plant award in 2010.

### **Non Sequitar:**

The one absolutely unselfish friend that man can have in this selfish world, the one that never deserts him, the one that never proves ungrateful or treacherous, is his dog . . . . When all other friends desert, he remains.

- *Speech in the Senate [1884]*

April 2011

## Some of our Supporting SCAP Associate Members

**DUDEK**



*A Residuals Management Company*

**RMC**  
*Water and Environment*



*Air Quality Specialists*

**BROWN AND  
CALDWELL**

*Environmental Engineers & Consultants*

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